

REMARKS

I. Drawings

The drawings were objected to because Figures 6A, 6B, 6C, 6D and 6E are not listed in the brief description of the drawings and in Figure 4, the reference character “16” has an incorrect lead line. The Brief Description of the Drawings has been amended to include Figs. 6A, 6B, 6C, 6D and 6E and a new, corrected Fig. 4 is hereby submitted. Formal drawings for all the figures are included as well.

The drawings were further objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the reference sign “Fig 6” of The Brief Description of the Drawings. The Specification has been amended to remove “Fig. 6” and reference the drawings by their correct titles.

II. Claim Rejections – 35 USC 112

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention because of a number of syntax errors and failure to comply with claim language formalities.

Claims 1-8 have been amended to correct the typographical and syntax errors to fully comply with 35 U.S.C. 112, second paragraph.

III. Claim Rejections – 35 USC 102 and 103

Claim 1 was rejected under 35 U.S.C. 102(b) as being clearly anticipated by Schachter (US D340,670).

Claims 2-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schachter in view of Friedman et al. (US D447,440) and Wueste (US 6,698,239).

Applicant respectfully submits that Schachter, Friedman and Wueste– taken either alone or in combination– do not disclose or suggest an angle between the table and lower girdle facets of a diamond being approximately 50-60° as recited in claim 1.

Examiner admits that Schachter does not disclose an angle between the table and lower girdle facets of a diamond being approximately 50-60°. Examiner, therefore, relies on Friedman to overcome this deficiency. Friedman's design patent, however, makes no mention of the angle between the table and lower girdle facets of its diamond, and when measured, the angle of Friedman is larger than the claimed 50-60 degrees. Thus, claim 1 is allowable over the above-cited prior art references.

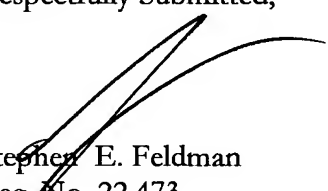
Claims 3-8 depend from and include all the limitations of claim 1, which is believed to be allowable. Claims 3-8, therefore, are allowable as well.

IV. Conclusion

Applicant respectfully submits that the application is presently in condition for allowance and earnestly solicits an action to that end.

Please charge any pertinent fees to Deposit Account No. 06-0515.

Respectfully Submitted,



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